

REMARKS

Claims 1-71 are all the claims presently pending in the application. By the Amendment claims 1-57 have been amended to return claims 1-57 to their original form as in the patent which is the subject of this reissue (i.e., U. S. Patent No. 6,112,202) (with the exception of claims 1 and 20 which include minor amendments). Further, newly added claims 58-73 which were presented in the Amendment filed herein on December 9, 2004 have been replaced with new claims 58-71.

It is noted that the claim amendments are made only for more particularly pointing out the invention, and not for distinguishing the invention over the prior art, narrowing the claims or for any statutory requirements of patentability. Further, Applicant specifically states that no amendment to any claim herein should be construed as a disclaimer of any interest in or right to an equivalent of any element or feature of the amended claim.

Applicant further notes that the patent will be promptly surrendered by Applicant upon an indication from the Examiner that the case would otherwise be in condition for allowance.

Claims 1-73 stand rejected under 35 U.S.C. § 251 as allegedly being an improper recapture of broadened claimed subject matter.

Claims 1-73 stand rejected as allegedly being based upon a defective reissue declaration. Applicant notes that a corrected reissue declaration is being prepared and will be submitted when it becomes available.

Claims 20 and 72 stand rejected under 35 U.S.C. § 101 as being allegedly directed to non-statutory subject matter. Applicant notes that previously presented claim 72 has been deleted and claim 20 has been amended to recite "*in a computer*" as suggested by the Examiner on page 4. Therefore, claim 20 is clearly directed to patentable subject and the Examiner is respectfully requested to withdraw this rejection.

I. THE 35 U.S.C. § 251 RECAPTURE REJECTION

The Examiner alleges that claims 1-73 are an improper recapture of broadened claimed subject matter. However, Applicant respectfully submits that the claims are not an improper recapture.

Presumably, the Examiner is alleging that since the original Application was allowed

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after the claims in the original Application were amended to recite "...based on the first and second authoritativeness information", and this phrase is not included, for example, in claim 58, then Applicant is attempting to recapture canceled subject matter.

However, Applicant would point out that even assuming (arguendo) that the broader aspects of the reissue claims relate to subject matter surrendered in the original prosecution, the claims have been materially narrowed in other respects, so that the claims have not been enlarged and therefore, avoid the recapture rule.

In particular, Applicant would point out, for example, that claim 58 recites "*using the initial authoritativeness information as input authoritativeness information, and iteratively refining said initial set of pages and determining authoritativeness information for said refined set of pages; and producing a final set of pages based on authoritativeness information for said refined set of pages*", which was not included in any of the independent claims of the original patent. Thus, clearly, claim 58 (and similarly, claims 70 and 71) have been materially narrowed in other respects, so that these claims have not been enlarged and therefore, avoid the recapture rule (e.g., see MPEP 1412.02).

In view of the foregoing, the Examiner is respectfully requested to withdraw this rejection.

II. FORMAL MATTERS AND CONCLUSION

In view of the foregoing, Applicant submits that claims 1-71, all the claims presently pending in the application, are patentably distinct over the prior art of record and are in condition for allowance. The Examiner is respectfully requested to pass the above application to issue at the earliest possible time.

Should the Examiner find the application to be other than in condition for allowance, the Examiner is requested to contact the undersigned at the local telephone number listed below to discuss any other changes deemed necessary in a telephonic or personal interview.

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The Commissioner is hereby authorized to charge any deficiency in fees or to credit any overpayment in fees to Assignee's Deposit Account No. 50-0510.

Respectfully Submitted,



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